

PATENT COOPERATION TREATY

PCT

NOTIFICATION OF ELECTION

(PCT Rule 61.2)

From the INTERNATIONAL BUREAU

To:

Commissioner
US Department of Commerce
United States Patent and Trademark
Office, PCT
2011 South Clark Place Room
CP2/5C24
Arlington, VA 22202
ETATS-UNIS D'AMERIQUE
in its capacity as elected Office

Date of mailing (day/month/year) 06 December 2000 (06.12.00)	
International application No. PCT/US00/10512	Applicant's or agent's file reference 17974-1-PC
International filing date (day/month/year) 19 April 2000 (19.04.00)	Priority date (day/month/year) 20 April 1999 (20.04.99)
Applicant MAYER, Walter, Paul et al	

1. The designated Office is hereby notified of its election made:

☒ in the demand filed with the International Preliminary Examining Authority on:
17 November 2000 (17.11.00)

☐ in a notice effecting later election filed with the International Bureau on:

2. The election ☒ was
☐ was not

made before the expiration of 19 months from the priority date or, where Rule 32 applies, within the time limit under Rule 32.2(b).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Authorized officer Claudio Borton
Facsimile No.: (41-22) 740.14.35	Telephone No.: (41-22) 338.83.38

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference 17974-1-PC	FOR FURTHER ACTION see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.	
International application No. PCT/US 00/ 10512	International filing date (day/month/year) 19/04/2000	(Earliest) Priority Date (day/month/year) 20/04/1999
Applicant UNION CARBIDE CHEMICALS & PLASTICS		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 2 sheets.

☒ It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

- a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

- b. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international search was carried out on the basis of the sequence listing :

☐ contained in the international application in written form.

☐ filed together with the international application in computer readable form.

☐ furnished subsequently to this Authority in written form.

☐ furnished subsequently to this Authority in computer readable form.

☐ the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

☐ the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

2. ☐ **Certain claims were found unsearchable** (See Box I).

3. ☐ **Unity of Invention is lacking** (see Box II).

4. With regard to the **title**,

☒ the text is approved as submitted by the applicant.

☐ the text has been established by this Authority to read as follows:

5. With regard to the **abstract**,

☒ the text is approved as submitted by the applicant.

☐ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the **drawings** to be published with the abstract is Figure No.

☐ as suggested by the applicant.

☐ because the applicant failed to suggest a figure.

☐ because this figure better characterizes the invention.

☒ None of the figures.

A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 C09D11/02 C09D5/02 • C09D17/00 C09B67/00

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 C09D C09B

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, WPI Data, PAJ

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	<p>✓ EP 0 129 329 A (ALLIED COLLOIDS LTD) 27 December 1984 (1984-12-27)</p> <p>page 3, line 33 -page 7, line 9 page 8, line 32 -page 9, line 3 table 4</p>	1, 3, 5, 6, 9, 10, 12, 14, 15
X	<p>✓ DE 196 26 839 A (BASF AG) 8 January 1998 (1998-01-08) claims 1-9</p>	1, 5-7, 9, 14, 15
A	<p>✓ DE 196 25 773 A (HOECHST AG) 2 January 1998 (1998-01-02) claims 6, 8</p>	

☐ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

° Special categories of cited documents :

"A" document defining the general state of the art which is not considered to be of particular relevance

"E" earlier document but published on or after the international filing date

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

"O" document referring to an oral disclosure, use, exhibition or other means

"P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

"&" document member of the same patent family

Date of the actual completion of the international search

21 August 2000

Date of mailing of the international search report

29/08/2000

Name and mailing address of the ISA

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Fax: (+31-70) 340-3016

Authorized officer

Miller, A

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/US 00/10512

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
EP 0129329 A	27-12-1984	AT 24521 T	15-01-1987
		AT 45174 T	15-08-1989
		CA 1265635 A	06-02-1990
		CA 1309795 A	03-11-1992
		DE 3461810 D	05-02-1987
		DE 3479223 D	07-09-1989
		EP 0127388 A	05-12-1984
		FI 841990 A,B,	21-11-1984
		FI 864054 A,B,	07-10-1986
		JP 1615646 C	30-08-1991
		JP 2038137 B	29-08-1990
		JP 59223702 A	15-12-1984
		JP 1664738 C	19-05-1992
		JP 2139005 A	29-05-1990
		JP 3027563 B	16-04-1991
		NO 841997 A	21-11-1984
		US 4503172 A	05-03-1985
		US 4507422 A	26-03-1985
		US 4554307 A	19-11-1985
		US 4554298 A	19-11-1985
		ZA 8403776 A	29-01-1986
DE 19626839 A	08-01-1998	NONE	
DE 19625773 A	02-01-1998	EP 0816402 A	07-01-1998
		JP 10060012 A	03-03-1998

REPLACED BY
ART 34 AMEND

PATENT COOPERATION TREATY

PCT

REC'D 27 JUL 2001

INFO

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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)



Applicant's or agent's file reference SJA/56586/000	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/US00/10512	International filing date (day/month/year) 19/04/2000	Priority date (day/month/year) 20/04/1999
International Patent Classification (IPC) or national classification and IPC C09D11/02		
Applicant UNION CARBIDE CHEMICALS & PLASTICS ... et al.		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 4 sheets, including this cover sheet.
☒ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of 2 sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☒ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 17/11/2000	Date of completion of this report 25.07.2001
Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized officer Van de Panne, V Telephone No. +49 89 2399 8405 

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. PCT/US00/10512

I. Basis of the report

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

Description, pages:

1-23 as originally filed

Claims, No.:

1-12 as received on 15/06/2001 with letter of 13/06/2001

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
- ☐ the claims, Nos.:
- ☐ the drawings, sheets:

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)):

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. PCT/US00/10512

(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes:	Claims	1-12
	No:	Claims	
Inventive step (IS)	Yes:	Claims	1-12
	No:	Claims	
Industrial applicability (IA)	Yes:	Claims	1-12
	No:	Claims	

2. Citations and explanations
see separate sheet

VII. Certain defects in the international application

The following defects in the form or contents of the international application have been noted:
see separate sheet

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/US00/10512

I The new set of claims is fully supported by the application as filed and meets the requirements of Article 34 (2)(b) PCT.

II The compositions of the independent claims 1, 11 and 12 are delimited from the disclosure of EP-A 129 329. Said document discloses the use of **water soluble** polymers as pigment dispersants, whereas the present claims involve polymers which are not water soluble. There is also no evidence that the polymers used in EP-A 129 329 are capable of providing a "Viscosity Retention Factor" of 5 or less. Said factor is adequately defined in the description and can be used as a distinguishing feature.

The documents cited in the search report do not suggest the use of the polymers defined in the present claim 1 as pigment dispersant.

III The description is not in agreement with the amended set of claims.

FOR THE PURPOSES OF INFORMATION ONLY

Codes used to identify States party to the PCT on the front pages of pamphlets publishing international applications under the PCT.

AL	Albania	ES	Spain	LS	Lesotho	SI	Slovenia
AM	Armenia	FI	Finland	LT	Lithuania	SK	Slovakia
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AU	Australia	GA	Gabon	LV	Latvia	SZ	Swaziland
AZ	Azerbaijan	GB	United Kingdom	MC	Monaco	TD	Chad
BA	Bosnia and Herzegovina	GE	Georgia	MD	Republic of Moldova	TG	Togo
BB	Barbados	GH	Ghana	MG	Madagascar	TJ	Tajikistan
BE	Belgium	GN	Guinea	MK	The former Yugoslav Republic of Macedonia	TM	Turkmenistan
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DK	Denmark	LK	Sri Lanka	SE	Sweden		
EE	Estonia	LR	Liberia	SG	Singapore		

INTERNATIONAL SEARCH REPORT

Int. Patent Application No.
PCT/US 00/10512

A. CLASSIFICATION OF SUBJECT MATTER
IPC 7 C09D11/02 C09D5/02 C09D17/00 C09B67/00

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)
IPC 7 C09D C09B

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, WPI Data, PAJ

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	EP 0 129 329 A (ALLIED COLLOIDS LTD) 27 December 1984 (1984-12-27) page 3, line 33 -page 7, line 9 page 8, line 32 -page 9, line 3 table 4	1,3,5,6, 9,10,12, 14,15
X	DE 196 26 839 A (BASF AG) 8 January 1998 (1998-01-08) claims 1-9	1,5-7,9, 14,15
A	DE 196 25 773 A (HOECHST AG) 2 January 1998 (1998-01-02) claims 6,8	

☐ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

* Special categories of cited documents :

- "A" document defining the general state of the art which is not considered to be of particular relevance
- "E" earlier document but published on or after the international filing date
- "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- "O" document referring to an oral disclosure, use, exhibition or other means
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- "Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- "A" document member of the same patent family

Date of the actual completion of the international search

21 August 2000

Date of mailing of the international search report

29/08/2000

Name and mailing address of the ISA

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Fax: (+31-70) 340-3016

Authorized officer

Miller, A

INTERNATIONAL SEARCH REPORT

Information on patent family members

Int. J. Application No

PCT/US 00/10512

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
EP 0129329 A	27-12-1984	AT 24521 T	15-01-1987
		AT 45174 T	15-08-1989
		CA 1265635 A	06-02-1990
		CA 1309795 A	03-11-1992
		DE 3461810 D	05-02-1987
		DE 3479223 D	07-09-1989
		EP 0127388 A	05-12-1984
		FI 841990 A,B,	21-11-1984
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		JP 1615646 C	30-08-1991
		JP 2038137 B	29-08-1990
		JP 59223702 A	15-12-1984
		JP 1664738 C	19-05-1992
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		JP 3027563 B	16-04-1991
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		US 4554307 A	19-11-1985
		US 4554298 A	19-11-1985
		ZA 8403776 A	29-01-1986
DE 19626839 A	08-01-1998	NONE	
DE 19625773 A	02-01-1998	EP 0816402 A	07-01-1998
		JP 10060012 A	03-03-1998